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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 STEVEN FLOYD VOSS,

Case No. 3:19-cv-00030-RCJ-WGC

10 Petitioner,

ORDER

11 v.

12 SECOND JUDICIAL DISTRICT COURT,
et al.,

13 Respondents.
14

15 Petitioner Steven Floyd Voss has submitted a petition for a writ of mandamus
16 and has now paid the filing fee (see ECF Nos. 1-1, 4). Voss asks this court to direct the
17 Second Judicial District Court of Washoe County, Nevada to vacate a 1996 judgment of
18 conviction and to prohibit that court from resentencing him. However, this court lacks
19 jurisdiction to issue a writ of mandamus to a state court. *Demos v. United States Dist.*
20 *Court for the E. Dist. of Wash.*, 925 F.2d 1160, 1161 (9th Cir. 1991). Accordingly, this
21 petition is dismissed for lack of jurisdiction. The court will not issue a certificate of
22 appealability, as reasonable jurists would not debate the dismissal of this petition.

23 The court also notes that the Nevada Court of Appeals granted Voss' state
24 petition for writ of mandamus and instructed the state district court to resentence Voss
25 and enter an amended judgment of conviction in state case no. CR96-15814. Nevada
26 Court of Appeals Case No. 74227.

27 **IT IS THEREFORE ORDERED** that the Clerk shall detach and file the petition for
28 writ of mandamus (ECF No. 1-1).

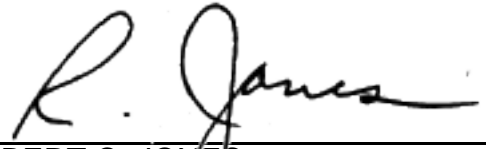
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IT IS FURTHER ORDERED that the petition is **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and close this case.

DATED: This 7th day of October, 2019.



ROBERT C. JONES
UNITED STATES DISTRICT JUDGE